

BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA

SUPREME CT. CASE NO.: 05-555

INQUIRY CONCERNING  
JUDGE JOHN R. SLOOP; JQC  
NO.: 04-455

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THE DEPOSITION OF  
MICHAEL L. CANNADAY, JR.

REPORTED BY:  
JUNE M. BUFFORD, RPR  
In the Office of:  
ASSOCIATED COURT REPORTERS  
101 Fulton Street  
Sanford, Florida  
May 10, 2005  
At 11:40 a.m.

APPEARANCES:

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Special Counsel for Florida JQC

LAW OFFICES OF MARC L. LUBET, P.A.  
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Attorney for Judge John R. Sloop

Also present: Judge John R. Sloop

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1 WHEREUPON:  
2 The following proceedings were had:  
3 MICHAEL L. CANNADAY, JR.

4 having been first duly sworn, was examined and deposed as  
5 follows:

6 DIRECT EXAMINATION

7 BY MS. ROSS:

8 Q State your full name, please.

9 A Michael L. Cannaday, Jr., C-A-N-N-A-D-A-Y.

10 Q And by whom are you employed?

11 A The Seminole County Sheriff's Office.

12 Q How long have you worked for Seminole County  
13 Sheriff's Office?

14 A Since November 3rd of 1997.

15 Q What did you do before then?

16 A Worked for the City of Casselberry for three  
17 years, three months and three days. Prior to that I was  
18 a probation officer for approximately five and a half  
19 years.

20 Q When you worked for the City of Casselberry,  
21 were you a police officer?

22 A Yes, ma'am, I was a police officer.

23 Q How many years have you spent in law  
24 enforcement?

25 A Sixteen last month.

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1 Q Do you know the amount of days of that?

2 A No, I don't. But I'm beginning to calculate my  
3 days towards retirement.

4 MR. LUBET: With Casselberry I'm surprised you  
5 don't know the amount of hours you've worked.

6 A It's a good start, but leave it at that.

7           Q    What is your position with Seminole Sheriff's  
8           Department?  
9           A    Deputy sheriff currently assigned to the  
10          Judicial Security Division.  
11          Q    How long have you been assigned to Judicial  
12          Security?  
13          A    Eleven months and two days.  
14          Q    Are you assigned to any particular judge?  
15          A    No, I'm not. I'm a courtroom float. I  
16          basically float the courtrooms and go where the work  
17          is.  
18          Q    On December 3rd, 2004, what were you doing?  
19          A    I was acting in the same capacity. I've been a  
20          float since we came over to the new building, so, which  
21          is the end of October.  
22          Q    Did you have anything at all to do with reading  
23          people's paperwork and directing them to the courthouse,  
24          or particular courtrooms --  
25          A    No, I didn't.

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1           Q    -- on December 3rd?  
2           A    After the fact, reading some paperwork, but not  
3          prior to the fact, no.  
4           Q    On December 3rd, were you operating as a  
5          floater in Judge Sloop's courtroom?  
6           A    Yes, I was.  
7           Q    And could you tell me what happened during the  
8          court proceedings with regard to people who didn't show  
9          up?

10           A     Basically, a name would be called and, you  
11           know, the hall would be sounded. If no one responded,  
12           the judge at that point would issue, would indicate  
13           issue a bench warrant. After looking through the file  
14           he would, you know, determine were minutes signed, is  
15           this a first appearance that they failed to appear for,  
16           you know. I guess it would have some bearing on the  
17           bond, and then issue the warrant, and then, you know,  
18           give the bond status.

19           Q     Let's just start with a couple of definitions  
20           because --

21           A     Sure.

22           Q     -- people may not be as familiar with what  
23           you're talking about.

24                     When you say a name would be called, Judge  
25           Sloop called the name?

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1           A     Exactly. He had the docket, he, you know,  
2           would call a case, State of Florida versus so and so.  
3           That individual either did or did not respond. If he  
4           didn't respond, we'd sound the halls. If that  
5           didn't --

6           Q     Stop. Okay. When you say sound the halls,  
7           you're talking about some deputy would go out in the  
8           hallway and ask or call out the person's name?

9           A     Yes. I'm pretty sure that that's a pretty  
10          normal course of events, and I'm pretty sure that's how  
11          it -- I don't recall, I don't recall doing it myself.  
12          That's a normal course of events, so I don't recall with

13 clarity someone specifically going out and calling this  
14 certain name, but that is the generally accepted  
15 practice.

16 Q Okay. And then if the person did not respond  
17 to the sounding, whoever called their name, would you,  
18 when I say you, I'm talking about to the deputy, go back  
19 in the courtroom and alert the judge?

20 A That's correct. Very similar to basically when  
21 the times I've done it you walk in and say, sir, no  
22 response and --

23 Q Then what happened on this day?

24 A On this day then at that point the judge would  
25 have the file, he would look through it to see, you

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1 know, again, were minutes signed, is this the first  
2 time that they, you know, failed to appear based upon  
3 giving, getting information from when they were arrested  
4 or when they'd actually been in court before and  
5 actually signed.

6 And I guess that had some bearing on the bond  
7 status because from what I could see those, when this  
8 would be the first time appearance they didn't sign  
9 minutes, the bond was generally whatever the fines were  
10 going to be, you know. If the court costs and fines  
11 were going to be three seventy-five, that was generally  
12 what the bond was. If they had previously signed  
13 minutes, then it was twenty-five hundred, you know,  
14 fifteen hundred, no bond perhaps, depending on the  
15 status of the case.

16 Q Okay. Hold on one second.  
17 A She knows me.  
18 Q I was going to say.  
19 Can you take down -- he speaks very fast. Can  
20 you take down what he's saying?  
21 A She already threatened me when I walked in,  
22 so --  
23 Q Okay. Just want to make sure.  
24 A I will try, but --  
25 Q And I will try and slow you down, okay?

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1 A I will fail, so -- but I'll try.  
2 Q Now, had you ever worked in front of Judge  
3 Sloop before that week?  
4 A Yes, I had.  
5 Q And did you notice Judge Sloop's demeanor on  
6 the bench that day? Was it any different than he'd ever  
7 appeared before?  
8 A No, not to my knowledge. I mean --  
9 Q Were you serving as a floater in Judge Sloop's  
10 courtroom for the entire week?  
11 A No. Basically, and again, as a float deputy,  
12 you basically go where the work is, so if there's a  
13 large docket down in 1A, you're going to spend the bulk  
14 of your time in 1A. However, you could get called to go  
15 up to the fourth floor to relieve somebody. There's no  
16 defined, you're going to be in here all week.  
17 Now, I have served as Judge Sloop's deputy  
18 before when his deputy has been out on vacation or sick

19 and that's another function of a float deputy. We cover  
20 when the judge's deputy is not there.

21 Q Okay. The reason why I'm asking you this is  
22 you gave a statement to Sergeant Todd Brown on December  
23 6, 2004.

24 A Uh-huh.

25 Q And in your statement you indicated that after

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1 working in the courtroom all week with Judge Sloop  
2 something appeared to be common practice.

3 A Right.

4 Q Were you, in fact, does that refresh your  
5 recollection that you were working in front of Judge  
6 Sloop all week that week?

7 A Well, what I -- I understand what you're saying  
8 about that. Basically Judge Sloop had had first  
9 appearances that week and they were large dockets, so  
10 basically that's where we would gravitate to in the  
11 morning because that's where the work was. I wasn't  
12 assigned to that, but that's where the work was. That's  
13 where we spent the bulk of our time during that week.

14 This was Friday, arraignments are a week long  
15 so we had pretty much spent at least a part of the  
16 morning every day in arraignments because that's where  
17 the bulk of the work was.

18 Q And during that week you had spent the bulk of  
19 the week in arraignments in front of Judge Sloop?

20 A In the morning time, yes, ma'am.

21 Q Okay. On this particular day, December 3rd,



22 2004, what happened -- approximately when did Judge  
23 Sloop finish with his docket?

24 A I have no recollection of the time.

25 Q Well, if I gave you a time of eleven-thirty

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1 when there was a mass arrest, can you tell me  
2 approximately how far before that Judge Sloop left the  
3 bench?

4 A I would say, prior to the actual arrest, I  
5 would say probably, maybe there was a period of twenty  
6 minutes perhaps.

7 Q So somewhere around eleven-ten, eleven o'clock,  
8 eleven-ten --

9 A Somewhere in that ballpark. I did not make  
10 note of the time.

11 Q Okay. When Judge -- strike that.

12 How many deputies were there in Judge Sloop's  
13 courtroom at the time he left the bench?

14 A From the best of my recollection, I would say  
15 probably three.

16 Q And who were they?

17 A I believe it would have been myself, Deputy  
18 Marlowe, I'm not even sure Deputy Marlowe was working  
19 that day. Myself, I know for sure myself and Deputy  
20 Csisko were there, and for some reason I want to say  
21 there was possibly a third person, but I don't know if  
22 Don Marlowe was working that day because Don is the  
23 other float and I don't recall if he was working that  
24 day or not. I'm thinking maybe he wasn't, but --

25 Q But Deputy Csisko is the sheriff who is

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1 assigned to Judge Sloop?

2 A Yes, ma'am.

3 Q And then you were there as the floater to  
4 assist her that day?

5 A Yes, ma'am.

6 Q And there may or may not have been a third  
7 person who was also a floater?

8 A Yeah. I know for a fact us two and there  
9 possibly could have been a third, but I can't for the  
10 life of me recall who it might have been.

11 Q Okay. Now, after Judge Sloop -- strike that.  
12 During the course of the proceedings, did Judge  
13 Sloop issue bench warrants for people who failed to  
14 appear?

15 A During the proceedings of the arraignment?

16 Q Yes.

17 A Yes, ma'am.

18 Q That morning?

19 A Yes.

20 Q After Judge Sloop left the bench somewhere  
21 between eleven and eleven-ten a.m. that morning, what  
22 happened?

23 A We were in the courtroom, basically, you know,  
24 getting ready to close it down, you know, the clerks  
25 were still finishing up paperwork and we're making sure

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1 everybody gets out and get locked up when a group of  
2 people started coming through the doors, you know.  
3 we advised them that arraignments were over and they  
4 indicated that they had been in the wrong courtroom.  
5 They were supposed to be here for arraignment and they  
6 had been sitting in the wrong courtroom.

7 Then some of them started telling me their  
8 names and I recognized some of the names as ones that I  
9 recalled, you know, having been called and not being  
10 there and warrants being issued for. So basically we  
11 got with the clerk who was there and said, hey, these  
12 are some of the people that warrants had been issued for  
13 and it kind of went from there.

14 Q Okay. Let me stop you and go back a second.  
15 Okay. Were people talking to you independently of  
16 Deputy Csisko, the people who are straggling through the  
17 doors? Or were you both talking to them together?

18 A I think at first I was talking to them because  
19 basically they had come in and I had approached them to  
20 say, hey, you know, we're finished, we're shutting down.  
21 They said, well, hey, we're supposed to be here. We  
22 were in the wrong court and that's when I went to them  
23 and I think initially I was speaking to them by myself  
24 and I had relayed that information to Deputy Csisko. I  
25 think she was actually up by the clerks and I was down

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1 in the gallery.

2 Q Okay. So as I understand the sequence of  
3 events, people started straggling in, you spoke to them  
4 to find out what they were doing there?

5 A Right.

6 Q And you recognized some of the names?

7 A Yes, ma'am.

8 Q And then you brought that to the attention of  
9 the clerks in the courtroom and/or Deputy Csisko?

10 A I believe both. And there was some discussion  
11 about, well, you know, there have been warrants issued  
12 and, well, the warrants haven't been signed. Well, you  
13 know, let me find out, you know. Just kind of one of  
14 those, what are we going to do. We got twelve people  
15 sitting here that we know just had bench warrants issued  
16 and kind of like, okay, we haven't run into this before,  
17 what do we do now.

18 Q Okay. And when you say we were discussing, are  
19 you talking about you and Deputy Csisko, you and Deputy  
20 Csisko and the clerks?

21 A I think pretty much everybody. It's one of  
22 those things like, okay, what now, you know. I've  
23 encountered one or two before, I've never encountered a  
24 dozen, so, you know, we were just like, okay, how do we  
25 handle this.

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1 Q Okay. And did you talk to Deputy Csisko about  
2 alerting the judge?

3 A Yes, I did.

4 Q What did you tell her?

5           A     It was probably a couple different times. At  
6 one point, you know, we discussed, you know, hey, these  
7 people are here, this is the situation. We got bench  
8 warrants issued for them, how are we going to handle  
9 this.

10                     And I believe the clerk had typed in something  
11 about, well, the warrants aren't signed yet or something  
12 like that, so we're trying to figure out what's our game  
13 plan because we're not even sure if we, yes, warrants  
14 had been issued, but they haven't been signed, so  
15 technically they haven't been issued, so we were trying  
16 to figure that out.

17                     And as I'm talking to the people further, first  
18 I'm thinking, well, we're probably going to be making  
19 some arrests here. Well, folks, just have a seat.  
20 We're going to figure this out. We're not really sure  
21 what's going on yet because, you know, if I've got  
22 twelve people I'm taking into custody, I want them  
23 sitting there and, you know, relaxing.

24                     So as I spoke with them further, a couple of  
25 them said, you know, I was told to go to Courtroom B.

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1           I've got paperwork saying I'm supposed to go to  
2 Courtroom B. As I recall, I want to say three or maybe  
3 four of them had paperwork indicating 1B. One was a  
4 citation that had, you know, appear at this date and  
5 time, Courtroom 1B. I think one or two of them might  
6 have been paperwork that they issued at the jail once  
7 they bonded out from their initial arrest. I think

8 three or maybe four.

9 Q So would it be fair to say that initially you  
10 might have been skeptical about the claims, we're in the  
11 wrong courtroom, but you started looking at the  
12 paperwork and saying, hey, these people were told to be  
13 in 1B?

14 A Well, not just that because we'd been living  
15 with the, oh, I went to the wrong courthouse excuse for  
16 a month and a half now, when the paperwork has clearly  
17 been signed, you know, you signed it last time. You  
18 know, we've been dealing with that issue and the judges  
19 have been, you know, as a whole have been, you know,  
20 getting to the point where at the beginning, okay, you  
21 went to the wrong courtroom, yes, it happens. It's  
22 starting to happen less and less frequently and it needs  
23 to start happening less frequently because it's not  
24 going to be a valid excuse for much longer. So we've  
25 been dealing with that, but I said, you know, I'm

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1 thinking, well, as I started talking to them, okay, wait  
2 a minute, this paperwork says 1B. Okay, Houston, we  
3 have a problem here.

4 Q Okay. And just so we put it in context, the  
5 reason why judges have been dealing with it for a while  
6 is that there was a new courthouse that was opened up  
7 and judges had gone to the new courthouse and therefore  
8 there was a period of transition?

9 A Yes, ma'am.

10 Q But, now, on this particular day, December 3rd,

11 you were looking at people's paperwork that actually  
12 showed the wrong courtroom on it?

13 A Yes. Like I said, three, perhaps four. And I  
14 don't recall the names. I do recall one name. As this  
15 continued to draw out, one family was particularly, I  
16 guess, vociferous as the phrase I'm looking for, the  
17 shanley or Shanley and the mother was upset. She's in  
18 her U.S. customs uniform and her dad is spouting off how  
19 he's friends with Chief Perry, Chief Judge Perry and he  
20 works for the Sanford-Orlando Airport and this isn't  
21 right.

22 And so, well, show me your paperwork. The  
23 paperwork clearly said, you know, criminal arraignment,  
24 1A, nine o'clock. And I pointed out to her, ma'am, you  
25 know, your paperwork gives you everything you need right

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1 here and that's when she said, well, they told me  
2 traffic court had changed. I said, well, ma'am, you're  
3 not here for traffic court. Right here on top where it  
4 says arraignments, that's what you're here for. Well,  
5 they told me traffic court is in 1B. I said, well,  
6 traffic court was in 1B.

7 So that's when I had the first inclination that  
8 someone was being told to go to traffic court and, you  
9 know, basically if I'm at the front door and you come up  
10 to me and say, where's traffic court, well, we have  
11 traffic court, which on Fridays we do, I'm going to send  
12 you to traffic court. Any other day of the week if you  
13 ask where's traffic court, I would say, we don't have

14 traffic court today.

15 Q Right.

16 A So it's kind of one of those, if any one  
17 little, if any one little set of circumstances was  
18 different we might have had a different outcome. It's  
19 just everything kind of fell out of line. If you come  
20 to the front door and say where's traffic court, not  
21 being able to read your mind, I'm going to send you to  
22 traffic court.

23 Q So in addition to some paperwork having the  
24 wrong courtroom on it to begin with, there's also  
25 confusion because there were two courtrooms going on

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1 simultaneously, one of them was traffic and the other  
2 was criminal misdemeanor.

3 A And I can understand why the defendants would  
4 be confused because probably the majority of them were  
5 there for a traffic charge -- criminal traffic charge  
6 and perhaps in their mind traffic court is traffic court  
7 is traffic court when traffic court and criminal  
8 arraignments are two different things.

9 Q Such as driving without a license might be a  
10 criminal charge --

11 A Exactly.

12 Q -- but it's also considered --

13 A And the morning time when you've got anywhere  
14 from, you know, depending on when they open up at eight  
15 o'clock, you know, a hundred people coming in, hey,  
16 where's Judge Herr. Oh, he's 4C. Where's Judge Eaton.



17 Oh, he's in 5D. Where's traffic court. Oh, traffic  
18 court is in 1B today because traffic court was in 1B  
19 today.

20 It's not where they looked at the paperwork and  
21 said, hey, oh, that says criminal arraignment, but let  
22 me send you to 1B. If you ask for a question -- if I  
23 had the answer for you, I'm going to give you the answer  
24 that I have and I think that's probably the bulk of what  
25 happened. They asked for traffic court, they were

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1 directed to traffic court.

2 Q Okay. Now, approximately how many people were  
3 in the courtroom and directed to sit down before Deputy  
4 Csisko stepped out of the courtroom to go talk to the  
5 judge?

6 A I would say there was about a dozen, roughly a  
7 dozen. Maybe eleven, maybe twelve. And at this point,  
8 like I said, I wasn't sure what was going to happen. I  
9 knew that there had been some action as far as there was  
10 supposed to be warrants for these people so they're not  
11 going anywhere yet because, you know, I don't know if  
12 we're going to be taking them into custody or not, so  
13 that's why I said, have a seat, let me figure out what's  
14 going on here.

15 In addition with dealing with Deputy Csisko and  
16 the clerk, I'm also getting ahold of the sergeant  
17 saying, we're probably going to be taking some people  
18 into custody here, there's about twelve of them, let's  
19 go ahead and get some help up here.

20 Q Okay. Who was it that you requested backup?

21 A I actually spoke with Sergeant Sweeney. He was  
22 the sergeant on duty at the time. Sergeant Brown is  
23 normally my supervisor, but he and the other sergeant  
24 there, Sergeant Jarrells were in a training class, so  
25 Sergeant Sweeney was kind of splitting his time between

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1 the old courthouse and the new courthouse.

2 Q Okay. At the time that you decided to take  
3 other action in terms of alerting both your superiors as  
4 to what was going on and trying to get some resolution  
5 from the judge, did Deputy Csisko tell you what she was  
6 going to do?

7 A I don't recall that she actually said, hey, I'm  
8 going to do this. I know at one point after, you know,  
9 I had kept kind of a, at least in my mind, a picture of  
10 what was going on. I, you know, told Deputy Csisko, I  
11 said, you need to get with the judge and explain that  
12 there are some, you know, people here that actually have  
13 paperwork that said they were supposed to be in 1B. I  
14 said there's only two or three or four of them, but, you  
15 know, some of them actually have paperwork saying this  
16 is where I'm supposed to be, so, you know, get with the  
17 judge and see what we can come up with.

18 Q Tell him there's a problem?

19 A And then eventually she came back out and said,  
20 you know, the warrants are signed, take them into  
21 custody. At that point I had, I think about, I don't  
22 know, eight or seven or eight people, you know, come up

23 from the basement or the back because, you know, we had  
24 gotten a dozen people. So at that point we were told  
25 the warrants were signed, we're taking them into

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1 custody.

2 Once I had the backup there then I basically  
3 walked out into the audience and said, you know, folks,  
4 unfortunately the warrants have been issued for your  
5 arrest, you are now under arrest and that's when, to  
6 quote Jeff Foxworthy, was pandelirium.

7 Q Well, let's go back for a second, okay. You  
8 met with Deputy Csisko and advised her to tell the judge  
9 about the paperwork?

10 A Right. And it was, you know, all these things  
11 are taking place, you know, we're not, we didn't sit  
12 down behind closed doors and talk. It was like, listen,  
13 olly, there's a problem out here. Go let the judge know  
14 there's some people who have paperwork saying that they  
15 should have been in 1B. She stepped off. I wasn't  
16 privy to the conversation. I didn't see what she  
17 actually told him.

18 But, you know, basically I guess the kind of  
19 protocol that we have is when we have to take a problem  
20 to a judge, we generally go through their deputy because  
21 they've developed, you know --

22 Q A rapport.

23 A -- a rapport, so, you know, if there's, hey,  
24 listen, I need you to ask your judge if we can do this.  
25 I don't just go up and say, excuse me, sir, can we do

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1       this. I generally say, hey, go talk to your judge. And  
2       that's pretty much how we handle it and that's what we  
3       did at that point. It wasn't a --

4           Q     A formal meeting. Okay. Let me --

5           A     It was a real quick thing.

6           Q     Let me slow you down. I understand everything  
7       took place in a very relatively fast period of time.

8           A     Yes, ma'am.

9           Q     Okay. But you, yourself inspected the  
10      paperwork?

11          A     Yes, ma'am.

12          Q     And you, yourself said, Houston, we have a  
13      problem?

14          A     Yes, ma'am.

15          Q     And you told Deputy Csisko that you saw the  
16      paperwork and you knew there was a problem?

17          A     Yes, ma'am.

18          Q     And you told her to alert her judge because  
19      that's your job?

20          A     Yes, ma'am.

21          Q     And did Deputy Csisko leave the room?

22          A     Yes, she did.

23          Q     For how long a period of time?

24          A     She was gone for several moments. Again, I  
25      don't know if she was gone for a couple minutes, three

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1 or four minutes maybe.

2 And, again, and again, this was a, maybe  
3 dynamic is the wrong word, but it wasn't a static  
4 situation. They're all sitting there kind of not sure  
5 what's going on. I'm trying to make sure that they  
6 stick around, first of all, that there's no problems,  
7 that if we need help, let's get the help. I'm kind of  
8 going this way, this way, this way, this way so I was  
9 kind of running around in circles basically.

10 Q I understand that you're trying to exercise  
11 crowd control --

12 A Exactly.

13 Q -- and the people in front of you are not real  
14 happy.

15 A Right.

16 Q But at the same token I'm trying to get what  
17 happened with regard to the judge.

18 A Right. That was, whatever took place, took  
19 place out of the courtroom I guess in that back hallway.  
20 I was not there. I was not privy to the --

21 Q Okay. But when Deputy Csisko, first of all,  
22 you know Deputy Csisko was the person who works with the  
23 judge and has the rapport with the judge?

24 A Yes, ma'am.

25 Q And when she came back in the courtroom, she

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1 indicated to you what?

2           A     That the warrants have all been signed, you  
3 know, basically we were going to take them into  
4 custody.

5           Q     And that there was nothing else that could be  
6 done?

7           A     Hey, that's, you know, it's one of those things  
8 that the warrants are signed, we're taking them into  
9 custody.

10          Q     Did she tell you anything else, did you  
11 remonstrate with her and say, you know, this is wrong,  
12 or how can we be doing this?

13          A     Well, you know, basically it was one of those,  
14 look, the warrants are signed. We're taking them into  
15 custody.

16          Q     So she just told you, this is it, this is what  
17 we're supposed to do and that's it?

18          A     Pretty much.

19          Q     And you were going to take your direction from  
20 her because she's the person who is in charge of  
21 executing this judge's --

22          A     No, at that point, you know, basically she  
23 said, look, we have, you know, eleven or twelve warrants  
24 signed, they're signed, we're taking them into  
25 custody.

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25

1           Q     Okay.

2           A     I'm generally not in the habit of arguing with  
3 the judge, so --

4           Q     I understand that, but you were concerned

5 enough to advise your supervisors of what was going  
6 on?

7 A That's correct.

8 Q And you asked for backup?

9 A Yeah, because we're taking twelve people in  
10 custody so we're generally not going to do it with two  
11 people.

12 Q Were you also concerned that you were taking  
13 twelve people into custody who may have been in the  
14 right?

15 A I was concerned about the three or four that  
16 had the paperwork. I actually had no problem with the  
17 other seven or eight.

18 Bottom line, life is all about being  
19 responsible and if you can't take the responsibility to  
20 be where you're supposed to be, that's part of the  
21 reason why you're there.

22 Q But you also understand that they may have  
23 been directed to that other courtroom on this particular  
24 day?

25 A Yes, I do. And, again, you know, while part of

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1 me says that might be wrong, when you have the most  
2 loud, verbal one yelling about it and she's got the  
3 paperwork in her hand showing where she's supposed to  
4 be, it's hard to, you know, scratch up any pity for  
5 that, you know. Forest Gump said it best.

6 Q Okay. Now, with regard to the people that were  
7 arrested, okay, what was going on in the courtroom after

8 you told them they were all going to be arrested?

9 A It was, you know, you had, you know, a bunch of  
10 people yelling, crying, hollering, family members. When  
11 we quickly got the twelve, that we were, I don't  
12 remember if it was eleven or twelve, it was right around  
13 that number, we took those, you know, quote unquote the  
14 defendants into the courtroom area out from the gallery  
15 to kind of separate them from their family members.

16 I remember one individual, she was, I can't  
17 remember her name, but a black female, she was very loud  
18 and vocal about this being, you know, she was cursing,  
19 this ain't right and then all of a sudden she got real  
20 quiet and she starts to kind of sneak towards the door  
21 and I said, nice try, but let's go ahead and come over  
22 here, you know. I'm sorry that this is happening, but  
23 we have to do what we have to do.

24 we got them situated. We got all of our help  
25 up there, all the handcuffs and we took them into

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1 custody.

2 Then started explaining to the family members,  
3 look, the warrants have been signed. To my knowledge,  
4 none of them were no bond, you'll be able to bond them  
5 out.

6 The parents of the juvenile were really losing  
7 their minds and that's when we came to the  
8 determination, I think it was Corporal Young had said,  
9 hey, she's a juvenile. I don't think we can do a  
10 warrant. So at that point, I believe it was Deputy



11 Csisko again went back to the judge and said, look, this  
12 girl is a juvenile. I don't think we can -- excuse me  
13 for a second.

14 This is a juvenile, I believe you can't issue a  
15 warrant and that was corrected. She was in handcuffs  
16 probably two or three minutes and then she was released.

17 Q Do you know whether this was a decision by the  
18 sheriff's department or whether this was a decision by  
19 Judge Sloop?

20 A I believe that had been corrected -- well, my  
21 belief because, again, I wasn't there with the  
22 conversation with the judge, but I believe it was taken  
23 back and said, look, this is a juvenile. I don't think  
24 you can issue a warrant and that was corrected and they  
25 came back out and said, yeah, she's got to be let go. I

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1 don't know who, I don't believe we made the decision, I  
2 believe that it came from behind the door.

3 Q Okay. Do you know who went to discuss the  
4 juvenile status with Judge Sloop?

5 A I believe it was Deputy Csisko. It might have  
6 been the clerk.

7 Q What clerks were in the courtroom that day?

8 A I know her as Judge Sloop's clerk. I can't  
9 think of her name to save my life. Judge Sloop's  
10 regular clerk was one, I'm not sure if she had help or  
11 not. Sometimes she does, sometimes she -- well,  
12 generally in the misdemeanor, there's not a whole lot of  
13 paperwork that she has to deal with because it's all

14 computerized, so I think it was just Judge Sloop's  
15 clerk, and I cannot, I apologize, I cannot think of her  
16 name to save my life. I unfortunately know her as Judge  
17 Sloop's clerk and that's still how I refer to her.

18 Q Okay. So you don't know who left the courtroom  
19 to go discuss the juvenile status?

20 A No, ma'am. Because at that point I was  
21 pretty much in between the detainees and the family  
22 trying to say, listen, we're going to work this out,  
23 you know, they can be bonded, dah, dah, dah, dah, kind  
24 of keep them calm as well, because they were pretty  
25 upset.

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1 Q People crying?

2 A Oh, yes.

3 Q People telling you that they had personal  
4 problems, that they needed to leave?

5 A I don't recall that. Maybe downstairs the  
6 people were saying, you know, I can't do this. I have  
7 to get to work. I mean, you get a whole myriad of, you  
8 know, not necessarily excuses, but once you take someone  
9 into custody you get one of two types. You get the  
10 kinds like -- and that's what we had there too. You had  
11 some of them like, okay, yeah. And then you had other  
12 ones, this, this, this and this and I said, you know,  
13 sir, ma'am, there's nothing I can do about that, you  
14 know. The warrant doesn't say, you know, if you feel  
15 like it, it says, you will, so --

16 Q Okay. With regard to the juvenile you said her

17 parents were really going out of their minds, what were  
18 they doing?

19 A Again, it's the, I know this person, I know  
20 that person, you know, I'm going to make a phone call.  
21 This isn't right. This won't stand, you know. Dah,  
22 dah, dah, dah, dah. And, you know, I eventually got  
23 rather curt with the mom, because again, I said, ma'am,  
24 I'm sorry, but, you know, I'm assuming that you read  
25 English, read the paperwork. You were not where you

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1 were supposed to be and you had everything you needed  
2 right in your hand. I'm sorry this is happening, but pay  
3 attention to detail.

4 Q Was the juvenile crying?

5 A Oh, yeah, she was balling.

6 Q Okay. Now, she was actually placed in  
7 handcuffs --

8 A Yes, she was.

9 Q -- before she was let go?

10 A Yes, she was. Everybody was.

11 Q Tell me about, did you assist in the  
12 processing?

13 A Downstairs in the basement?

14 Q Yes.

15 A Minimally. Brought them down, we have a  
16 procedure obviously, brought them down, basically just  
17 to check on them make sure they didn't need any help  
18 down there.

19 Because basically we all have different

20 functions to perform. We have a room where they're  
21 taken to be remanded, but obviously they don't normally  
22 get twelve at a time, but we had enough help from the  
23 rest that were assisting that I really wasn't needed  
24 down there.

25 I knew one of the gentlemen that was being

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1 arrested, Wayne Roberts. I went to school with him and  
2 he, he was one of those, wow, fishing without a license,  
3 I'm going to jail. Okay. Well, whatever. I guess if I  
4 got to go, I got to go. He had a great attitude about  
5 it. He's like, you know, what can you do. And I was  
6 like, you know, hey, Wayne, you know, sorry, bud.

7 And, like I said, about half of them were like,  
8 okay, and about half of them were going off.

9 Q Well, let's talk about the situation in the  
10 courtroom at the time of the arrests. You made a call  
11 to get assistance, you had sheriff's deputies from all  
12 over the courthouse in this one courtroom --

13 A Uh-huh.

14 Q -- for crowd control, correct?

15 A Well, I wouldn't say, no, it wasn't really  
16 crowd control. It was, you know, if you're going to  
17 take a dozen people into custody, you don't arrest a  
18 dozen people with two deputies.

19 Q That's what I was calling crowd control, but  
20 thank you.

21 A This is to take the people into custody.

22 Q Okay. And approximately how many deputies

23 ended up arresting the, participating in the arrest of  
24 these twelve people?

25 A Six or eight maybe, maybe more. About to

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1 where, you know, you want to, you know, obviously in  
2 any arrest situation you want to present enough of a  
3 picture there where there's not going to be any kind of  
4 decision on their part to, well, maybe I'm not going to  
5 do this, so I want to say probably at least six, maybe  
6 eight.

7 Q The point was to have enough police presence  
8 that nobody would try and escape or do something --

9 A And obviously not just that, but we needed  
10 twelve sets of handcuffs. I have two, you know, but we  
11 got to go ten more so we needed more handcuffs.

12 Q Okay. Is that the sum total of your  
13 participation in that day's events, or did you have  
14 anything else to do that day which related to the arrest  
15 of these people?

16 A That was it.

17 Q Did you have any conversation with any of  
18 the other sheriff's deputies about what had just  
19 occurred?

20 A Oh, yeah. I mean, everybody talked about it  
21 afterwards, you know. It was like, again, we hadn't had  
22 where we've taken twelve people into custody before, so  
23 irrespective of the unusual set of circumstances with  
24 different paperwork it was an unusual circumstance  
25 nonetheless.

1 Q Did you go talk with any of your superiors  
2 about what had occurred?

3 A Well, I had spoken with Sergeant Sweeney, you  
4 know, prior and let him now, look, there's a situation,  
5 we've got the different paperwork, there could be a  
6 potential problem here. And then, you know, afterwards  
7 he said, you know, look, you were told to take them into  
8 custody, you took them into custody, you know. We don't  
9 say, you know, there's certain things we don't say no  
10 to.

11 Q When a judge tells you, gives you an order, you  
12 listen to it?

13 A Right. And, again, while Judge Sloop never  
14 said, Mike, take these people into custody, when Olly  
15 came out and said, look, the warrants are signed, we're  
16 taking them into custody, I took that to mean, okay,  
17 let's --

18 Q Did you personally go talk to any of the other  
19 judges about what had just occurred?

20 A No, I didn't.

21 Q Did you talk to any of your other supervisors  
22 besides Sergeant Sweeney?

23 A Well, not that day because none of them were  
24 there.

25 Q Afterwards?

1           A     Afterwards, oh, sure. I mean, you know, we  
2     talked about it afterwards about, you know, especially,  
3     you know, four hours later it's all over the news. I  
4     mean, that was a big topic of discussion. It was one of  
5     those, you know, wow. It was kind of unbelievable, you  
6     know, because this thing kind of just spiralled out of  
7     control it seemed like.

8                     And then obviously we were hit with the fact  
9     that, you know, Judge Sloop was removed from the bench  
10    and we're having to shuffle how we're going to handle  
11    this, you know, there was some logistical issues as  
12    well. So, yeah, it was the topic of discussion for many  
13    days.

14          Q     Do you know when the people were released?

15          A     I know from what I saw on the news --

16          Q     Other than that.

17          A     -- that it was, you know, later that evening,  
18    that night I guess there was some that had been,  
19    warrants had been issued prior to the mass arrest that  
20    ended up maybe spending more than one day because they  
21    either couldn't bond out or couldn't arrange for it. I  
22    don't know what their situation was. I don't know if  
23    they fell in the category of I was in the wrong  
24    courtroom because basically some people, you know, if  
25    the name was called that morning and they walked in an

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1     hour later, they were taken into custody. The warrant  
2     had already been issued.





6 Q And those all could, those are all criminal  
7 offense as far as you know could ultimately be punished  
8 by jail if you're found guilty of the offense, correct?  
9 A Certainly.  
10 Q And even though these were traffic offenses,  
11 they were traffic criminal offenses, correct?  
12 A And I don't like to make a distinction.  
13 Criminal is criminal.  
14 Q Okay. But in making the distinction for  
15 traffic court to the other traffic court in the  
16 courthouse and you know what I'm talking about --  
17 A Sure.  
18 Q -- Courtroom A and Courtroom B. Courtroom B  
19 was the non-criminal courtroom?  
20 A That's correct. It was a civil --  
21 Q Infractions?  
22 A -- infraction courtroom.  
23 Q Right.  
24 A Right.  
25 Q And it's your testimony I believe that some of

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1 these people certainly were told on their paperwork to  
2 be in Courtroom A?  
3 A Yes, that's correct.  
4 Q And that for whatever reason they didn't show  
5 up to Courtroom A?  
6 A That's correct.  
7 Q All right. Now, you've been working the  
8 courthouse how many years?

9 A Less than a year. Eleven months.  
10 Q All right. Were you a road deputy before  
11 that?  
12 A Yes, I was.  
13 Q You've been to arraignments for the last eleven  
14 months, correct?  
15 A Yes, sir.  
16 Q Okay. Is it unusual for people to not show up  
17 at arraignment and have warrants for their arrest  
18 issued?  
19 A Not at all. It happens every day, every  
20 arraignment.  
21 Q Have you ever done arraignments in Judge Herr,  
22 Bravo or Marblestone's courtroom?  
23 A Yes, I have.  
24 Q Okay. One of the issues here is that Judge  
25 Sloop issued the warrants at the beginning, after he

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1 called their name. Is that unusual or does that happen  
2 in other courtrooms also?  
3 A Well, I don't want to say it's unusual for  
4 Judge Sloop, but I know that that week he had changed  
5 his practice generally. He was waiting until the end of  
6 the day and he was, it was a time consuming thing and  
7 this way it was, the file is there, the file is open, so  
8 he made the determination because he had said something  
9 about it in court, this is how the other judges are  
10 doing it, I'm going to try it this week as well.  
11 Q You heard him say that?

12 A Something to that effect, yes, sir.

13 Q Okay. So Judge Sloop up until that point in  
14 time had been doing what some of the other judges did,  
15 go through the docket and see who is there, then go back  
16 through the docket for the people who are not there; is  
17 that correct?

18 A That's correct.

19 Q And then issue warrants if they still weren't  
20 there?

21 A That's correct.

22 Q And on this week he decided to change his  
23 procedure?

24 A That's correct.

25 Q Okay. And you heard him say something about,

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1 well, this is what the other judges are doing?

2 A Yes. And from my experience, there's judges  
3 that kind of do it both ways. Some wait until the very  
4 end, some do it right then when they call. It's just,  
5 you know --

6 Q So it's really not out of the norm, if you  
7 will, to issue, it's not something way out off in left  
8 field to issue a warrant right after you've called the  
9 name and looked through the file?

10 A Certainly not, no.

11 Q Okay. Now, you didn't talk to Judge Sloop at  
12 all about this?

13 A No, I did not.

14 Q Okay. I had asked the other deputy so I'll ask

15       you also. What is your feeling about Judge Sloop's  
16       demeanor generally in his courtroom?

17           A     Firm, but fair.

18           Q     Firm, but fair?

19           A     Firm, but fair. I think that we ought to have  
20       some of the other judges take a lesson from him, you  
21       know. Bottom line, you know, firm, but fair I think is  
22       a very good description.

23           Q     All right. Does he treat people with respect  
24       in his courtroom?

25           A     I've never seen him not. I didn't, well, does

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1       he, does he take an occasion if he needs to, if he needs  
2       a reason for it, there's a reason for it, certainly.  
3       Does he show compassion when he needs to, yes, but  
4       bottom line you're going to get firm, but fair from  
5       Judge Sloop.

6           Q     And he certainly doesn't put everybody in  
7       jail?

8           A     No, not at all.

9           Q     Okay. Have you seen him give breaks to people  
10      that you thought should have probably gone to jail?

11          A     Yes, I have.

12          Q     And the other deputy said that's going on every  
13      day.

14          A     It's -- and again, it's not only Judge Sloop,  
15      it happens everywhere, but, you know, certainly.

16          Q     Okay. Do you think that Judge Sloop, even  
17      though this incident took place, is fit to hold his

18 job?

19 A I have no doubt about it, but I don't believe  
20 I'm the person to ask.

21 Q I understand.

22 A My personal opinion, I would love to see him  
23 right back on the bench, but, you know, I don't know  
24 that I'm the person to make that call. But I would have  
25 absolutely no problem working with him again.

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1 Q Let me ask you this. You say you have no  
2 problem with seeing him back on the bench, you're law  
3 enforcement obviously, okay, but do you consider, and  
4 this is a self-serving question, but do you consider  
5 yourself to be a fair person?

6 A Yes. And I kind of know where you're going  
7 with this. I've been in this business for sixteen  
8 years. I've seen the probation side, I've seen the  
9 little city side. I don't believe we have an  
10 antagonistic relationship. I believe we are part of the  
11 same, maybe wheel. We're just different strokes on the  
12 wheel. We all have our jobs to perform. When I get  
13 grilled by a defense attorney, he's doing his job, which  
14 is --

15 Q Sure.

16 A -- my job by putting that person in jail. I  
17 don't view it as, you know, us against them. It's the  
18 system that we have, we're all players in that system.  
19 You know, I've left court scratching my head sometimes  
20 going, wow, why did that happen, or, okay, that was

21 good. You don't agree with everything, human nature is,  
22 I've got an opinion on how things should be. It's not  
23 going to be your opinion all the time.

24 Am I more conservative? Sure I am. Which is  
25 basically on my upbringing, what I do for a living --

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1 Q Sure.

2 A -- but I'm also not so foolish to say, well,  
3 everybody has to go to jail every time.

4 Q You've certainly have arrested people that when  
5 they finally went to court you didn't feel they should  
6 go to jail from the courtroom?

7 A Sure. Sure.

8 Q Probation would have been a fine resolution?

9 A Right. And, honestly, I lost that, you know, I  
10 didn't have a dog in the fight from probably fourteen  
11 years ago. I mean, initially when you first get on,  
12 yeah, everybody's got to do time, everybody's got to go  
13 to jail, you know, I am the law. But after a while you  
14 realize that, you know, that's not necessarily, there's  
15 a story behind every scenario and this person, you know,  
16 may not need that, so you can't just say everybody goes  
17 to jail all the time. It doesn't work.

18 Q Okay. And Judge Sloop certainly doesn't put  
19 everybody in jail all the time?

20 A No, he does not.

21 Q Okay. Is your opinion from your discussions  
22 with other courtroom people and courthouse deputies, is  
23 your opinion the general consensus of most of the

24           deputies there you believe is that about Judge Sloop?

25           A     Sure.

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1           Q     They all respect him?

2           A     Yes.

3           Q     Like to work with him?

4           A     Yes.

5           Q     And feel he's a fair judge?

6           A     Yes. Again, you, know, on the scale of things  
7           is he more, at least in my opinion, he's more of a  
8           conservative than some of the other judges who we have  
9           are very liberal, but it balances each other out. I  
10          mean, you can't have the ying without the yang. You've  
11          got to have both.

12                You got to know coming to court, well, I might  
13          get this judge or I might get this judge, you know. You  
14          can't walk in going, well, I'm not worried now, you  
15          know. I think worrying and shame and all that is a big  
16          part of what we're missing these days and that's  
17          something that's necessary.

18                MR. LUBET: I have nothing further.

19                REDIRECT EXAMINATION

20 BY MS. ROSS:

21           Q     You've heard Judge Sloop say that he wants jail  
22          to be a really bad experience so that people don't want  
23          to repeat it?

24           A     And I agree wholeheartedly.

25           Q     Now, just a couple of things.

1 A Sure.

2 Q You would agree with me that having people  
3 arrested on paperwork that indicates they're in the  
4 wrong place, they're supposed to be in the wrong place  
5 is clearly wrong?

6 A Yeah. I couldn't mitigate that for you if I  
7 tried.

8 Q And you disagreed with it at the time and you  
9 disagree with it now?

10 A That's correct.

11 Q Okay. But notwithstanding that based on your  
12 experience with Judge Sloop and based on the interaction  
13 that you saw with him in the courtroom, you still think  
14 that he's fit to serve as a judge?

15 A Certainly. Certainly.

16 MS. ROSS: I don't have anything else.

17 MR. LUBET: Thank you very much.

18 You want to read --

19 MR. CANNADAY: Of course, I'm going to read.

20 (Whereupon, the deposition was terminated at

21 12:20 p.m.)

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1 SUBSCRIPTION OF DEPONENT

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3 STATE OF FLORIDA

4 COUNTY OF SEMINOLE

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6 I, MICHAEL L. CANNADAY, DO HEREBY CERTIFY that I  
 7 have this day read the foregoing deposition, and do hereby  
 8 declare that the same is a true and accurate transcript  
 9 of the proceedings had at the time and place herein  
 10 designated.

11

12 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

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\_\_\_\_\_  
 MICHAEL L. CANNADAY

17

18 Sworn to and subscribed before me  
 19 this \_\_\_\_\_ day of \_\_\_\_\_,

20

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\_\_\_\_\_  
 NOTARY PUBLIC  
 My Commission Expires:

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1 CERTIFICATE OF OATH

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STATE OF FLORIDA  
COUNTY OF SEMINOLE

I, the undersigned authority, certify that  
MICHAEL L. CANNADAY personally appeared before me  
and was duly sworn.

Witness my hand and official seal this 17th day  
of May, 2005.

\_\_\_\_\_  
JUNE M. BUFFORD, RPR  
NOTARY PUBLIC - STATE OF FLORIDA  
My Commission No. CC 802173  
Expires: 1-13-2007

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CERTIFICATE OF REPORTER

STATE OF FLORIDA  
COUNTY OF SEMINOLE

I, JUNE M. BUFFORD, Court Reporter, certify that

6 I was authorized to and did stenographically report the  
7 deposition of MICHAEL L. CANNADAY; that a review of the  
8 transcript was requested; and that the transcript is a true  
and complete record of my stenographic notes.

9 I FURTHER CERTIFY that I am not a relative,  
employee, attorney, or counsel of any of the parties, nor am  
10 I a relative or employee of any of the parties' attorney or  
counsel connected with the action, nor am I financially  
11 interested in the action.

12 Dated this the 17th day of May, 2005.

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15 JUNE M. BUFFORD, RPR  
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